

# Reply to Comments

In the Matter of FCC Docket 02-98  
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## 5250-5400Mc Proposal

My comments in support of the FCC's proposal concluding the Amateur service will benefit from an allocation in the 60 meter band included specific endorsement of the Commission's *Least Restrictive Protocol* tentatively established in the Docket.

This protocol provides for an open, united band plan, uncluttered by sub-bands or other regulatory constraints by mode or activity. Comments in agreement with the agency's approach have noted Amateurs, thus freed from sub-bands, will have the greatest frequency agility to avoid interference with primary users of this band. This is a top mandate for this secondary allocation for Amateurs.

Spectrum utilization is also important in favoring an allocation that does not reserve frequencies for any mode or activity. Some Commenters filing in contradiction to the FCC's proposal stated they would like such reservations imposed, in keeping with nostalgic sentiments of having enjoyed such segregation on older bands dating back to when Morse Code and "phone" emissions held nearly-equal levels of popularity.

It has been many years since these older Amateur bands presented such a clear one-or-the-other choice of operating mode and activity. To replicate an obsolete system of division would be unfair to the myriad of specialties that today exist among the 1300 modes and countless activities Amateurs are permitted to pursue. It would require judging the merits of some mode or activity seeking protection, weighed against standards that have not been updated to reflect the narrow, out-of-the-mainstream level of use associated with such modes or activities.

The FCC is to be commended for proposing an even-handed allocation that does not play favorites, and, incidentally, can guide the Commission in dealing with current and future Petitions for Rulemaking from other aggrieved sub-groups who feel they deserve the same protection on this band and others as that requested by advocates of weak-CW and so-called "digital" modes that have not found widespread use.

Those who have filed Opposed to the agency's generous, open operating architecture have failed to acknowledge that *a certain amount of unintentional intermodal interference is a natural and acceptable part of a hobbyist radio service*. They have failed to accept that other casual (non-emergency) activities have been given equal stature to their own, and that these alternatives have no less claim on the frequency spectrum.

Ideally, in following through with the terms of the Docket as proposed, the FCC need only look to its own website to explain and underscore the foundation for its plan as written. The website, at:

<http://wireless.fcc.gov/services/amateur/about/index.html>

The text states in part the following, that I offer as specific justification for an open band plan, and eventually, a possible end to subband partitioning throughout the Amateur service:

All frequencies are shared. No frequency is assigned for the exclusive use of any amateur station. Station control operators cooperate in selecting transmitting channels to make the most effective use of the frequencies.

In order for us to have the greatest ability to share this allocation, minimize underutilization, and preclude interference to existing users, I urge the Commission to encourage a voluntary system

of coordination of our modes and activities to make the most effective use of the frequencies you plan to add to our service.

(Submitted for the public record.)